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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/736,199	12/15/2003	Peter Douglas	ETH-5099 (16356)

23389
SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
GARDEN CITY, NY 11530

CONFIRMATION NO. 4355

FORMALITIES LETTER



OC000000012199115

Date Mailed: 03/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 3, 4.
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1); See Figure(s) 2.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

08/30/2004 MAHME1 00000071 100750 10736199

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- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

AUG 27 2004

DOCKET NO. ETH5099

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Douglas et al.

Serial No.: 10/736,199

Art Unit:

Filed : December 15, 2003

Examiner:

For : Variable Stiffness Shaft

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 25, 2004

(Date of Deposit)

Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)

(Signature)

August 25, 2004

(Date of Signature)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Douglas et al. entitled Variable Stiffness Shaft attorney Docket No.ETH5099, to complete, pursuant to Rule 51, this application filed on December 15, 2003 by Express Mail pursuant to Rule 10.

Formal Drawings, a Petition for Extension of Time, as well as a copy of the Notice to File Missing Parts of Application, are also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/ETH5099/BST in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/ETH5099/BST. This sheet is submitted in triplicate.

Respectfully submitted,

Brian S. Tomko
Reg. No. 41,349
Attorney for Applicant(s)

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1239

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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